| 1 2 3 4 5 6 | EDMUND G. BROWN JR. Attorney General of the State of California PAUL T. HAMMERNESS Supervising Deputy Attorney General TROY B. OVERTON Deputy Attorney General, State Bar No. 171263 455 Golden Gate Avenue, Suite 11000 San Francisco, CA 94102-7004 Telephone: (415) 703-5500 Facsimile: (415) 703-5480 E-mail: Troy.Overton@doj.ca.gov | IT IS SO ORDERED S MODIFIED Judge James Ware | |
|----------------------------|---|--|--|
| 7 | Attorneys for CHARLES D. LEE, JR., M.D. | DISTRICT OF | |
| 8 | (additional counsel on signature page) | TOTRIE | |
| 9 | UNITED STATES DISTRICT COURT | | |
| 10 | NORTHERN DISTRICT OF CALIFORNIA | | |
| 11 | SAN JOSE DIVISION | | |
| 12 | | | |
| 13 | PIERRE LEBON HOFFMAN, | Case No. C 06-02248 JW NJV | |
| 14 | Plaintiff, | STIPULATION AND [PROPULATION OF STIPULATION AND STIPULATION AN | |
| 15 | V. | DEADLINE TO FILE REPLY TO OPPOSITION TO DEFENDANT'S | |
| 16 | DR. CHARLES LEE, | MOTION FOR SUMMARY JUDGMENT | |
| 17 | Defendant. | Judge: Honorable James Ware | |
| 18 | | | |
| 19 | <u>STIPULATION</u> | | |
| 20 | Pursuant to Civil Local Rules 6-2 and 7-3, Defendant Charles D. Lee, M.D. and Plaintiff | | |
| 21 | Pierre Lebon Hoffman, by and through their respective counsel of record, stipulate and agree as | | |
| 22 | follows: | | |
| 23 | WHEREAS, no trial date is currently set in this case; | | |
| 24 | WHEREAS, on January 27, 2009, Defendant filed a motion for summary judgment which | | |
| 25 | was originally set to be heard on March 23, 2009; | | |
| 26 | WHEREAS, pursuant to prior stipulations and Court orders to allow for additional | | |
| 27 | discovery, the hearing on Defendant's motion for summary judgment was ultimately continued to | | |
| 28 | July 6, 2009; | | |
| | | 4 N. GOG 22242 WYNY | |

STIPULATION AND [PROPOSED] ORDER TO EXTEND DEADLINE TO FILE REPLY BRIEF

Case No. C 06-02248 JW NJV

| 1 | WHEREAS, on June 11, 2009, plaintiff filed an unopposed motion for leave to file an | | |
|--|---|---|--|
| 2 | opposition to the motion for summary judgment in excess of the Court's page limit; | | |
| 3 | WHEREAS, on June 15, 2009, Plaintiff filed his opposition to Defendant's motion for | | |
| 4 | summary judgment which included a thirty (30) page memorandum in opposition, an eleven (11) | | |
| 5 | page objection to evidence, and three supporting declarations which included seventy-six (76) | | |
| 6 | separate exhibits and totaled 526 pages; | | |
| 7 | WHEREAS, Defendant does not object to the length of Plaintiff's opposition; | | |
| 8 | WHEREAS, Defense counsel represents that an additional seven (7) days is needed in | | |
| 9 | order to have sufficient time to respond to the issues raised in Plaintiff's opposition; and | | |
| 10 | WHEREAS, extending the deadline for filing of Defendant's reply will not alter any set | | |
| 11 | Court dates in this matter; | | |
| 12 | NOW, THEREFORE, THE PARTIES AGREE AND STIPULATE as follows: | | |
| 13 | Defendant's deadline to file a reply brief to Plaintiff's opposition to Defendant's motion | | |
| 14 | for summary judgment shall be extended from June 22, 2009 to June 29, 2009. | | |
| | IT IS SO STIPULATED. | | |
| 15 | IT IS SO STIPULATED. | | |
| 1516 | IT IS SO STIPULATED. | | |
| | IT IS SO STIPULATED. DATED: June 18, 2009 | EDMUND G. BROWN JR. | |
| 16 | | EDMUND G. BROWN JR. ATTORNEY GENERAL OF THE STATE OF CALIFORNIA | |
| 16 17 | | ATTORNEY GENERAL OF THE STATE OF CALIFORNIA PAUL T. HAMMERNESS | |
| 16 17 18 | | ATTORNEY GENERAL OF THE STATE OF CALIFORNIA PAUL T. HAMMERNESS Supervising Deputy Attorney General | |
| 16 17 18 19 | | ATTORNEY GENERAL OF THE STATE OF CALIFORNIA PAUL T. HAMMERNESS Supervising Deputy Attorney General By:/s/ TROY B. OVERTON | |
| 16 17 18 19 20 | | ATTORNEY GENERAL OF THE STATE OF CALIFORNIA PAUL T. HAMMERNESS Supervising Deputy Attorney General By: /s/ TROY B. OVERTON Deputy Attorney General | |
| 16 17 18 19 20 21 | | ATTORNEY GENERAL OF THE STATE OF CALIFORNIA PAUL T. HAMMERNESS Supervising Deputy Attorney General By:/s/ TROY B. OVERTON | |
| 16 17 18 19 20 21 22 | | ATTORNEY GENERAL OF THE STATE OF CALIFORNIA PAUL T. HAMMERNESS Supervising Deputy Attorney General By: /s/ TROY B. OVERTON Deputy Attorney General Attorneys for Defendant | |
| 16 17 18 19 20 21 22 23 | | ATTORNEY GENERAL OF THE STATE OF CALIFORNIA PAUL T. HAMMERNESS Supervising Deputy Attorney General By: /s/ TROY B. OVERTON Deputy Attorney General Attorneys for Defendant | |
| 16 17 18 19 20 21 22 23 24 | | ATTORNEY GENERAL OF THE STATE OF CALIFORNIA PAUL T. HAMMERNESS Supervising Deputy Attorney General By: /s/ TROY B. OVERTON Deputy Attorney General Attorneys for Defendant | |
| 16 17 18 19 20 21 22 23 24 25 | | ATTORNEY GENERAL OF THE STATE OF CALIFORNIA PAUL T. HAMMERNESS Supervising Deputy Attorney General By: /s/ TROY B. OVERTON Deputy Attorney General Attorneys for Defendant | |

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| 1 | DATED: June 18, 2009 | COE | BLENTZ, PATCH, DUFFY & BASS LLP |
|----------|---|-----|---|
| 2 | $2 \parallel$ | | |
| 3 | 3 | By: | /s/ Mario A. Moya, Esq. |
| 4 | 1 | | |
| 5 | 5 | | Attorneys for Plaintiff PIERRE LEBON HOFFMAN |
| 6 | 5 | | |
| 7 | 7 | | |
| 8 | | | |
| 9 | | | |
| 10 | PURSUANT TO STIPULATION, IT IS SO ORDERED AS MODIFIED: | | |
| 11 | Defendants' shall file their Reply brief on or before June 25, 2009 at 9 a.m. | | |
| 12 | | | |
| 13 | | By: | Jamelhre |
| 14 | | | Hon JAMES WARE United States District Judge Northern District of California |
| 15 | | | Northern District of California |
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| _5 | | | 2 Case No. C 06-02248 IW NI |

STIPULATION AND [PROPOSED] ORDER TO EXTEND DEADLINE TO FILE REPLY BRIEF